

S. No. 1877
H. No. 8145

Republic of the Philippines
Congress of the Philippines
Metro Manila
Eighteenth Congress
Second Regular Session

Begun and held in Metro Manila, on Monday, the twenty-seventh day of July, two thousand twenty.

[REPUBLIC ACT NO. 11552]

AN ACT EXTENDING AND ENHANCING THE IMPLEMENTATION OF THE LIFELINE RATE, AMENDING FOR THE PURPOSE SECTION 73 OF REPUBLIC ACT NO. 9136, OTHERWISE KNOWN AS THE "ELECTRIC POWER INDUSTRY REFORM ACT OF 2001," AS AMENDED BY REPUBLIC ACT NO. 10150

Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

SECTION 1. *Extension of Lifeline Rate.* - Section 73 of Republic Act No. 9136, otherwise known as the "Electric Power Industry Reform Act of 2001," as amended by Republic Act No. 10150, extending the implementation of the lifeline rate, is hereby further amended to read as follows:

"SEC. 73. *Lifeline Rate.* – In order to provide assistance to electricity consumers, especially those living below the poverty line, and to achieve a more equitable distribution of the lifeline subsidy, a socialized pricing mechanism called a lifeline rate for qualified marginalized end-users shall be set by the ERC which shall be exempted from the cross subsidy phase-out under this Act for a period of fifty (50) years, unless otherwise extended by law. The level of consumption, subsidy, and rate shall be determined by the ERC after due notice and hearing: *Provided,* That the ERC shall primarily utilize data from the Philippine Statistics Authority (PSA) in the determination of the level of consumption.

"Qualified marginalized end-users shall refer to any of the following:

"(a) Qualified household-beneficiaries under Republic Act No. 11310, otherwise known as the "Pantawid Pamilyang Pilipino Program (4Ps) Act," as regularly submitted by the Department of Social Welfare and Development (DSWD) to the DOE, the ERC, and the distribution utility, whose level of consumption shall be within the threshold determined by the ERC, are qualified marginalized end-users under this Act; or

"(b) Marginalized end-users who have been certified and continually validated as such by their distribution utility based on a criteria determined by the ERC: *Provided,* That the criteria shall take into account, among others, the poverty threshold set by the PSA, and shall contain an exclusive list of requirements to be submitted to the distribution utility: *Provided, further,* That the exclusive list of requirements shall be simplified and reasonable for the applicant: *Provided, furthermore,* That the distribution utility shall act on the application for certification as a marginalized end-user within two (2) working days from submission of complete documentary requirements: *Provided, finally,* That the distribution utility's action on the application shall be within ten (10) working days during the initial implementation of this Act.

"All qualified marginalized end-users shall continually meet the criteria in this Act to avail of the lifeline rate.

"The ERC shall promulgate rules and guidelines for qualified marginalized end-users whose meters or service connections are not registered in their name.

"The ERC shall submit to the Joint Congressional Energy Commission an annual report on the implementation of the lifeline rate. To achieve the objective of providing assistance to electricity consumers especially those living below the poverty line and ensure a more equitable distribution of the lifeline subsidy, the ERC shall conduct a comprehensive quantitative and qualitative evaluation of its implementation every two (2) years to include modes of validation and prevention of leakages."

SEC. 2. *Transitory Provision.* – The current level of consumption, subsidy, and rate shall continue to be applied to all marginalized end-users of all distribution utilities until such time that a new level of consumption, subsidy, and rate shall have been determined and approved by the ERC in accordance with Section 1 of this Act.

SEC. 3. *Implementing Rules and Regulations.* – The ERC, together with the DOE and DSWD, in consultation with the PSA and other public and private stakeholders, shall promulgate the implementing rules and regulations of this Act within ninety (90) calendar days from its effectivity.

SEC. 4. *Separability Clause.* – If, for any reason, any provision of this Act or any part thereof shall be held unconstitutional and invalid, the other parts or provisions of this Act, which are not affected thereby, shall remain in full force and effect.

SEC. 5. *Repealing Clause.* – All laws, decrees, orders, rules and regulations or parts thereof inconsistent with any of the provisions of this Act are hereby repealed, amended, or modified accordingly.

SEC. 6. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,

LORD ALLAN JAY Q. VELASCO
*Speaker of the House
of Representatives*

VICENTE C. SOTTO III
President of the Senate

This Act which is a consolidation of Senate Bill No. 1877 and House Bill No. 8145 was passed by the Senate of the Philippines and the House of Representatives on March 24, 2021 and March 22, 2021, respectively.

MARK LLANDRO L. MENDOZA
*Secretary General
House of Representatives*

MYRA MARIE D. VILLARICA
Secretary of the Senate

Approved: MAY 27 2021



RODRIGO ROA DUTERTE
President of the Philippines

O

